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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ASTELLAS US LLC and)	
ASTELLAS PHARMA INC.,)	
)	
Plaintiffs, Counterclaim Defendants,)	
v.)	Civil Action No.: 10-5599 (WJM/MF)
)	
FOUGERA PHARMACEUTICALS INC.,)	
)	
Defendant, Counterclaimant.)	
)	

JOINT STIPULATION OF DISMISSAL WITHOUT PREJUDICE

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) and (c), it is hereby stipulated and agreed by and between the plaintiffs and counterclaim defendants, Astellas US LLC and Astellas Pharma Inc. ("Astellas"), and defendant and counterclaimant Fougera Pharmaceuticals Inc. ("Fougera") that:

1. all claims asserted herein by Astellas against Fougera shall be dismissed without prejudice;
2. all claims asserted herein by Fougera against Astellas shall be dismissed without prejudice; and
3. with Astellas and Fougera each to bear their own costs and attorneys' fees.

So stipulated and agreed.

Dated: November 21, 2012

s/ John F. Brenner

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